

ORDINANCE NO. 2781 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE DEVELOPMENT PLAN FOR THE PLANNED AREA DEVELOPMENT LOCATED AT 9802 WEST BETHANY HOME ROAD; AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Glendale Planning Commission held a public hearing on July 7, 2011, in zoning case ZON11-01 in the manner prescribed by law for the purpose of amending the development plan for the Planned Area Development located at 9802 West Bethany Home Road to incorporate additional land uses that create more flexibility in developing the property.

WHEREAS, due and proper notice of such Public Hearing was given in the time, form, substance and manner provided by law including publication of such notice in *The Glendale Star* on June 17, 2011, and

WHEREAS, the City of Glendale Planning Commission has recommended to the Mayor and the Council the amendment of the development plan of the property as aforesaid and the Mayor and the Council desire to accept such recommendation and amend the development plan as described on Exhibit A in accordance with the Planned Area Development currently on file with the Planning Department as of the date of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the development plan for a parcel of land in Glendale, Maricopa County, Arizona located at 9802 West Bethany Home Road Avenue is hereby conditionally amended as enacted by Glendale City Council on September 13, 2010 in accordance with the Planned Area Development currently on file with the Planning Department as of the date of this ordinance.

SECTION 2. That the rezoning herein provided for be conditioned and subject to the following:

1. Development shall be in substantial conformance with the PAD development plan amended July 7, 2011.
2. Adult businesses or sexually oriented businesses shall not be allowed.

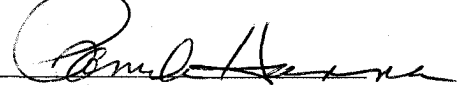
SECTION 3. Amendment of Zoning Map. The City of Glendale Zoning Map is herewith amended to reflect the change in districts referred to and the property described in Section 1 above.

SECTION 4. Effective Date. This Ordinance shall become effective at the time and in the manner prescribed by law.

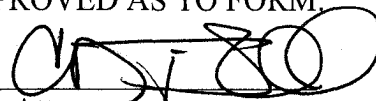
PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 13<sup>th</sup> day of September, 2011.

  
MAYOR

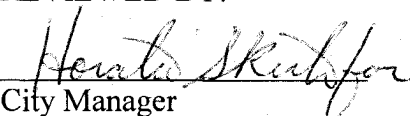
ATTEST:

  
City Clerk (SEAL)

APPROVED AS TO FORM:

  
City Attorney

REVIEWED BY:

  
City Manager

## SECURITY TITLE AGENCY

WHEN RECORDED RETURN TO:  
ARIZONA DEPARTMENT OF TRANSPORTATION  
R/W OPERATIONS  
205 SOUTH 17<sup>TH</sup> AVENUE (612E)  
PHOENIX, AZ 85007-3212

150736230

1/1

DEED 3649  
ORDINANCE 2663

EXEMPT FROM AFFIDAVIT  
By A.R.S. §11-1134-A-3

## ARIZONA DEPARTMENT OF TRANSPORTATION SPECIAL WARRANTY DEED

The **STATE OF ARIZONA**, acting by and through its **Department of Transportation**, and pursuant to A.R.S. §28-7095, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION, does hereby convey to **THE CITY OF GLENDALE**, an **Arizona municipal corporation**, whose address is c/o Ed Beasley, City Manager, Municipal Complex, 5850 West Glendale Avenue, Glendale, AZ 85301-2599, that certain real property situated in the county of **Maricopa**, State of Arizona:

**SEE EXHIBIT "A" ATTACHED HERETO**

**AND BY REFERENCE MADE A PART HEREOF.**

If Irrigation District water is to be supplied to the within described property, all costs of extending service to this property shall be at the sole expense of the Grantee herein.

**SUBJECT TO** current taxes and assessments, reservations and all easements, rights of way, covenants, conditions, restrictions, liens and encumbrances of record, the Grantor does hereby covenant that it will forever warrant and defend the title to the above described land against the lawful claims of all persons claiming by, through or under the Grantor herein, and no others.

<b>PROJECT: 600-0-701</b>	<b>SECTION: Jct. I-10 - Glendale</b>	<b>D-M 200/L-M-249</b>
<b>101L MA 002 H0811 03R</b>		<b>JD: 2/21/08</b>

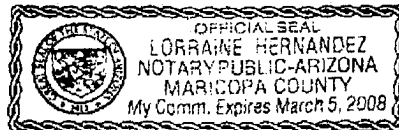
IN WITNESS WHEREOF, this instrument is executed this 21<sup>st</sup> day of February, 2008.

ARIZONA DEPARTMENT OF TRANSPORTATION

Sabra J. Mousavi  
Chief Right of Way Agent

NOTARY CERTIFICATION

STATE OF ARIZONA     )  
                                  ) SS  
County of Maricopa    )



The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of February, 2008, by SABRA J. MOUSAVI, the Chief Right of Way Agent of the ARIZONA DEPARTMENT OF TRANSPORTATION, who acknowledged to me that she executed this instrument for the purposes therein contained.

IN WITNESS WHEREOF, I have set my hand and official seal.

My Commission expires:

March 5, 2008

Lorraine Hernandez  
Notary Public

## Exhibit "A"

That portion of the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section 9, Township 2 North, Range 1 East, Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

Commencing at a Maricopa County Highway Department (MCHD) brass cap marking the West quarter corner of said Section 9, which bears North 0°04'52" East 2596.65 from a MCHD brass cap marking the Southwest corner of said Section 9;

thence along the West line of said Section 9, South 0°04'52" West 1298.32 feet to the North line of said Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section 9,

thence along said North line, North 87°26'32" East 75.08 feet, to the POINT OF BEGINNING on the East right of way line of 99<sup>th</sup> Avenue;

thence along said North line, North 87°26'32" East 742.89 feet;

thence South 4°20'58" West 539.12 feet;

thence South 0°44'00" West 530.01 feet to the North line of the Bethany Home Outfall Channel;

thence along said North line, from a Local Tangent Bearing of North 85°44'49" West, along a curve to the Right, having a radius of 1175.00 feet, a length of 200.50 feet;

thence continuing along said North line, from a Local Tangent Bearing of North 75°58'13" West, along a reverse curve to the Left, having a radius of 1395.00 feet, a length of 413.12 feet;

thence continuing along said North line, South 87°03'45" West 73.55 feet to said East right of way line of said 99<sup>th</sup> Avenue;

thence along said East right of way line, North 0°04'52" East 727.24 feet;

thence continuing along said East right of way line, South 87°26'32" West 15.02 feet;

thence continuing along said East right of way line, North 0°04'52" East 240.00 feet to the POINT OF BEGINNING.

701,282 square feet, more or less.

There shall be no right or easement of access to, from or between the parcel of land described above and the Agua Fria Freeway (NORTHWEST OUTER LOOP [State Route 101L]).

GRANTOR RESERVES unto the public and various utility companies, easements for existing utilities, if any, within the above described property, in accordance with Arizona Revised Statute 28-7210.

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**PROJECT:** 600-0-701

**SECTION:** Jct. I-10 – Glendale

**PARCEL:** D-M-200/L-M-249

101L MA 002 H0811 03R

Disposal

CD:CR 2/15/2002